THE NEWS FROM UTAH.

GREAT EXCITEMENT AMONG THE MORMONS

The Protests of the Mayor, City Council and Citizens of Provo Against the Proceedings of Judge Cradlebaugh.

THE JUDGE'S REPLY.

Memorial and Petition to Governor Cumming and His Proclamation.

JUDGE CRADLEBAUGH'S REMARKS.

Conflict of Authority Between Governor Cumming and Gen. Johnston.

BOTH SIDES OF THE NEWS.

The advices and papers from Utah, up to April 2, rescived by last mail, present a full history of the stirring times to which we could only briefly refer yesterday. We have no less than "two extras" in one week, which is of theelf no bad indication of the state of excitement, and the the disposition on the part of the Mermons to lay be documents and correspondence which we publish this meraing, our readers will conclude—however flatteringly Mormons may have laid the anction to their souls of peaceful times, sitting under vines and fig trees, none daring to make them afraid, &c., in youder "valleys of the mountains"—that very important changes have yet to transpire before their millennium has many practical advantages for them over those enjoyed by the benighted in other communities.

The present difficulties appear to have taken the in-

abitants generally by surprise, but the chief men of the ferritory have evidently been looking out for squalls, and regard the present course of Judge Cradiebaugh as only part of a concected scheme for the retention of the army me Utah, and likewise to lead to something that may fur-nish some professional occupation for it while there. The direct cause of the present excitement is the attempt on the part of Judge Cradlebaugh to investigate the charges of past years against the Mormons, to accomplish which has suddenly opened court at Provo, in March, instead e jail for prisoners, he required a company of one hundred eldiers to guard them, Gen. Johnston sent that number, sodiers to guard them, Gen. Johnston sent that number, and subsequently, as excitement increased, nine hundred more. On this Governor Cumming demands their with-drawal, which General Johnston refuses, and conse-quently an open rupture between the two chiefs ensued. From papers and correspondence we draw the conclusion that the Governor is backed by the Presecuting Attorney and Superintendent of Indian Affairs on the side of peace, while General Johnston lends military assistance to Judges Dradlebaugh and Sinclair on the side of war against the Mormess. The private Mormon correspondence received in this city sets forth that the Mormons, though naturally enough excited, regard the present "difficulty" as one between the officers of the government. The Governor being is favor of peace, and that in their interest, they gides with him, and indicate that all threats against his Excellency cannot be carried into execution while they

OUR UTAH CORRESPONDENCE.

GREAT SALT LAKE CITY, March 30, 1859. House-Witnesses Decamping for the Mountains-The Troops in Purnuit-General News, &c. During last fall three Indians-Mose, Lookingglass and

smother confederate—committed a most brutal rape on the white females, a mother and her daughter, the latter ten years old. The little girl was cut with a knife, sequence of which her life for a long time was des-of. The two principals in this outrage was ar-, and held for trial in the first court having federal indiction in the district. On the opening of the court at Prove by Judge Cradlebaugh, United States business taking precedence of Territorial, for the first six days, these ndians were indicted by the Grand Jury, also a man by the name of Cazier, (a Mormon,) charged with aiding securiors from the army. At this stage of proceedings the Judge instructed the Grand Jury to commence on Territorial business; they then went into the consideration of ses sgainst the Territory, and as there had been no district includes within its limits a Territory twice as of some 40,000 inhabitants, considerable time was esary to enable the Grand Jury to perform its duties and to get requisite testimony before it, relating to

manded of them if they had anything to present. He was no doubt that several presentments would be made spon a subject of much importance, which had been before the Jury for several days; upon which the Judge, in an angry tone, dismissed the Jury from further service, escused them of refusing to punish crime, and, by way of retaliation, told them he would turn Mose and Look retailation, told them he would turn Mose and Look ingulars, the savages in custody, loose upon them, with out trial, which was accordingly done. The Grand Jury had been delayed in its invessigations by the arrest of some of its wincease by virtue of beach warrants issued by the Judge without the knowledge of the Prosecuting Altoracy, who, as directed by the Judge, had examined all the witnesses personally that had appeared before the Grand Jury during its uitting, and would know better than any other man on whom suspicion should rest. It seems the Judge had determined to hold nobody in custody but Mormons, several of whom were arrested, without the shadow of a suspicion of their being guilty of any trime; and instead of being put in custody of the proper officer of the law, they were marched into the centre of a military encampment, and there guarded by soldiers, and compelled to furnish their own blankets and provisions. Mr. Dalley has been detained a week, with no evidence against him, only that he was a teacher in the Church, and had been at the bouse of an apostate and asked the usual question, wif he prayed in his family, and upon being answered negatively, he told him it would be a good thing for him to do so. While this examination is proceeding the court house is nearly filled with soldiers, and the building surrounded by them. In addition to this, one thousand soldiers are posted on the blind over-locking the town, and one and a half miles from the court house, with a battery of artillery so arranged as to be able to rake State street at pleasure, the principal street of Prove, and one also she principal street of Prove, and ealter to intimidated or threatened in the district, no poste comitatus having been called for. The sheriff and other civil officers are superseded by bayonets, artillery and dragoons.

sherif and other divil officers are supersoned.

The Grand Jury had been in session five days on territorial business at the time they were dismissed, and had examined some twenty witnesses, and their summury discharge was doubtless a design on the part of the Judge, and other parties interested in Zeoping the army here, to raise an excuse that Utah juries would not indict Mor-

citizens of Provo feel deeply the indignities heaped them; but the civil authorities have been able to nt collision and preserve peace, and no pains have spared by the local authorities to continue peaceful

been spared by the local authorities to continue peaceful relations.

The result of the military display around the court and treacherous arreat of witnesses who are subpossed its such that when a man is required to attend court he supposes that he will be marched into the military lines and there detained, and to avoid this he flees to the meantains to get out of the way of the Judge, who is holding a court in the character of a committing magistrate; he has already spent more time in this way than the Grand Jury spent on territorial business, and has as yet committed no one. He has dismissed several teamsters, with out trial, who have been committed for high crimes, and although Mr. Wilson, United States Attorney, insisted that they should be recognized to appear at the next term, he refused, as he is determined to try none but Mormous is his court.

they should be recognized to appear at the next term, he refused, as he is determined to try none but Mormous his court.

In every address to the juries he has made an attack on the religion of the Mormous, and it may well be doubted whether his monomanta is not the result of his hatred to the Mormon entinualm; it does not seem possible that a Judge entirely sans would turn much desperações as Mores and Lookingglass loose to prey upon the community, were not this the case.

The wfeet of this military despotism has already reached on extreme that has caused handrels in Utah counsy is lesse their house, and if it not at all probable that they will research that has caused handrels in Utah counsy is lesse their house, and if it not at all probable that they will represent the transmitten we are given to underestand that this whole matter has been brought to puse without the knowledge and in violation of his instructions.

Angry feelings exist in the breasts of meny of the officers and of the army, who bears for revenige upon the people for their electation in the mountains in the winter of 1887-8.

The storms of wheer continue: not a furrow has been ploughed in this county and very little in Utah county. We learn that south of Fillmore the road has been obstructed with snow; they has been very little passing for eight weeks.

The Second Judicial distact inclindes the counties of

invoiced with mow, they has been very near passing for sight weeks.

The Second Judicial distact includes the counties of the Second Judicial distact includes the counties of the Mannington, Millard, Easyer, Jual, Sanpete, Utah and Codar, and contains about one third of the inhabitants of this Territory. It extends from the main divide of the lacky Mountains to los. 118, being about 600 miles in Rength, and from lat. 37 to 41.30.

Prove is within 20 miles of the north line of the district,

and 120 mbes from Fillmore, the place appointed by law for holding the Court. Persons are liable to be subprensed 400 miles to attend this court. The principal crimes complained of by the Judge occurred more than 300 miles distant; it is, therefore, plain that the Judge could have no other object in summarily discharging the Grand Jury than that of placing the people in an unfavorable light before the government.

April 1, 1852.

although not the least resistance has been shown in any quarter to the will of the Judge or any of his officers. Deaithough not the least resistance has been shown in any quarter to the will of the Judge or any of his officers. Detachments of United States troops are charging through the country in pursuit of prisoners and witnesses. On the myrning of the 29th a detachment of about 100 dragoons affected the town of Springville, arousing the people from their beds, and searching their houses. But few men were found at home, and some that they wanted. The house of Aaron Johnson was surrounded and thoroughly searched, and found to contain an old woman and twenty three children. They demanded of the old woman where Mr. Johnson was; she replied that she did not know. The officers inquired in an angry tone, "What the h—l, then, do you know?" She replied, "I know that I have togot breakfast for these children, and then go to ploughing?" Marzhal Dotson remarked on his return to Prove, that there must be an air line telegraph to Springville, as he would be d——d if any man knew that he was going to search that town, and yet there was not a man to be found, and even Johnson's wives were missing. Detachments of this kind have been sent in various directions, charged with authority to arrest prisoners and compel witnesses to attend court, but what success they will meet with is uncertain. I have no doubt but that the Sheriffs or Marshals could have made all arrests and secured the attendance of all witnesses without any difficulty, had not the military power superreded the civil. Under present elecumentances, if the Judge continues his heetile movements towards the cuitaens, hundreds and perkaps thousands of them will file to the mountains; the women will have to till the fields, while the men are thus compelled to conceal theneselves, or a general famine be the result, thereby laying a foundation to make men desperate.

Governor Cumming is taking a maniv course, in which

mine be the result, thereby laying a foundation to make men desperate.

Governor Camming is taking a manby course, in which I understand he is austained by Rr. Wisen, United States Altorney; but the enamies of the Excellency threaten to put him in irens. But the Governor has a few thousand friends in this country who would dislike to see the venerable old here in irons.

The course now pursued by the Judge is to hold Court in Chambers, into which are summoned those who are dissifieded or known to be apositate. The question generally asked them is—If they know that any of the Church authorities have countited any misdemanors? If they say they do not know, they are asked—If they know of any person that would be likely to know of anything of the kind? If they say they do, their names are taken and subpectans issued, and thus the military inquisition proceeds.

subporans issued, and thus the military inquisition pro-ceeds.

Nearly as much time has been consumed by the Judge in this way as was occupied by the Grand Jury on United States and Territorial business, and he has committed no one. Several of the witnesses that he has had arrested and confined in the prison tent he acknowledges there is no testimony against.

On Sunday night some rowdies, supposed to be from Camp Floyd, got an Indian drunk, and induced him to throw stones at the guard quarding some United States mules near the court house, upon which orders were given that if a gun was fired at the guard the prisoners should be massisared. The police have been enabled by strengous efforts to protect the detachment from the first. This has been the only incident that has escaped their notice.

Institute the day increase that has escaped the notice.

Judge Cradlebaugh remarked a few days ago, in the barroom of his hotel at Provo, that if he could get any Mormon convicted, he would have him executed to quick that there would not be time to get the news to the Governor and have a partien obtained.

GREAT SAIT LAKE CITY, APRIL 2, 1899.

Squally Weather and Rough Times Brewing-Action of Judge Cradlebaugh—General Johnston and the Marshal's Officers—Governor Comming and the Mormons in Opposition—Screnade of the Governor by Brigham's Peoplo—Party Divisions in the Territory—Foreign Gatherings and Foreign Oaths—Martial Low Called For—Robberies from Government-Emigration of Saints, &c., &c.
Amidst squally weather and squally times do we now

write you. Our weather storms are all browed in the North, and our civil storms all originate in the South; yet they are alike continuous, and ominous of il; for our weather storms forebode short crops and death to stock, and our civil storms threaten another rebellion and Mor-mon farce, unless Uncle Sam or his Executive has lost his Provo is still the point towards which all eyes and ears

are turned. Judge Cradicbangh's discharge of the Grand Jury is a very withering robuke upon their inactivity and failure to discharge their duties fearless of consequences and their superiors. The Judge is prosecuting his investi-gations, as a committing magistrate, with an intrepidity, indefatigability, and against greater outside opposition and obstacles than has ever been known in the course of the United States Judiciary. General Johnston seems willing to aid him, by providing quarters and guards, à la militaire, for the prisoners. The United States Marshal, P. K. Dolmon, and his deputies, are active and vigilant in the discharge of their duties; and all lovers of "law and order," security of life and property, and a proper punishment of criminals of whatever sect or people, heartily cooperate and sympathics with the Judge in promoting the ends of justice, while, strange to say, yet not passing strange to these initiated, in the face of all these efforts—n defance of law—in the very teeth of the United States. n defiance of law—in the very teeth of the United States government—in detriment to the efficiency of the Judiciary—in contempt of the President's pardon for past treasons—in support of counselled outrages and countwance at crime, Governor Cumming, the Mormon leaders and their statellites condemn Judge Cradiobargh and his compers in their dispensation of justice: the former, in a proclamation protesting against the course pursued by the Judge and the General of the army; the latter, in a memorial cajoling, fattering and praying his Excellency, and claiming the President's pardon as a shield for all their crimes, and crying out for a removal of the troops quartered at Provo, fearing, as they allege, a revoit of the loyal citizen—a copy of all which documents, in an issue of the Peseret News, as also a true statement of affairs in the Valley Zun. I send you in company with this.

the Valley Ias, I send you in company with this.

The evening following the posting of the proclamation his Excellency was grandly serenaded by the Mormon braze band, an evidence, I suppose, of their appreciation of his favor and annuty propensities. So, you see, the Dutch have taken Holland, and the repture between the Governor and General Johnston, which we predicted, has taken place.

The two parties, which have never commingled, are now at sweds points. Gentiles who came here unpreligiously.

Governor and General Johnston, which we predicted, has taken place.

The two parties, which have never commingled, are now at swords points. Gentiles who came here unprejudiced and disposed to sympathize with the Mormons in their cry of religious persecution, have had their eyes opened to the iniquities of this people. Murders and robberles committed ever since the settlement of this valley, with all their attendant horrors, have been constantly coming to light since the presence of the army. The boasted Mormon loyalty to the United States has shown itself a farce. Their right rightcousness has turned out a boax. Their cry of good American citizens has proved a prostitution of the patronym, and their boasted superiority and independence of the United States government, with their tunuts and derisions of the same, have called forth digust, whist their avowed and displayed opposition to the administration of justice by the United States courts has exhausted the last grain of forbearance baid by the Gentile portion of the population, and, Jonathanlike, they, to a man, stand ready to vindicate the diguity and authority of their government, if needs be, by giving the traitors a sound drubbing.

They call themselves American citizens, whilst one half of them are foreigners, without having even declared their intentions of becoming naturalized, let alone be ving their papers. And many, upon application for the same, to the Court at Provo, poutively swore that they had never raised arms against the United States government, and that they were never enrolled for the late war against the same, whilst the examining officer held within his hands roth with their names at tached. What reliance can be placed upon such citizens? Verity, nons. These notorious facts show an allegiance to their leaders stronger than they can ever have to the United States government. Yet, with all these facts taking them in the face, their editors, preachers and writers proclaim that they are persecuted, that the Judiclary is projudiced, and the ings, while the truth is, that American conceive not their infidelity, and America paps a borde of traitors. Her courts of justice are of no avail in Utah. With Mormon juries Mormon crimes go unpunished, even unindicted. In short, our people and rulers must soon awake to the evils of this people and prose them severely, else the dogmas of their fanatical priesthood will gather in numbers and power till their blighting influence will shake the very foundations of our republic, and we be subjected to a baser ecclesiastical dominion than sunk Spain to her present low condition. Indeed, it is their vaunt that Mormonian shall swell is power, regain Missouri, and rule America—than the world. All true followers believe it, and many of the leaders are working every straisgem for it. Their whols legislation, as Judge Cradlebaugh aptly remarks in his charge, has been to frustrate the power of our government over them; and we look upon martial law as the only ready, speedy and efficient remedy now at hand. Were it proclaimed throughout the Ferritory it would most surely would not live under it. Thus, with the power at hand, might we new rid ourselves of an evil which, if let run riot through the land as it has done, will become one of our greatest troubles and obstacles to a powerful and prosperious nation.

Our latest advices from Provo state that a few nights since the military guard at that place was stoned by the loyal citizens, and upon reporting the same to those in conmand, the guard were ordered to freupon a reputition or assentis. We also have a report that the Court has finally adjourned, but annot have heard it contradicted, and that the sheriff of Cetar County has been arrested as an accomplice in the Parish murder.

We understand that during the winter about 300 mules have been seven from the government herds, a part of which have been recovered.

Quite a large emigration of the Saints from the So ith has been passing through the city for some days back, bound for a new settlement forming in Weber country.

Gurat Salat Lans City, April 2, 1850.

The Mormons Have been Preparing for the Difficulty—The Court Denounced as an Inquisition—Spring Sowing Stopped, and Farmers Fleeing, &c.

The old system was revived in Provo of subponning witnesses, and when thus drawn into court, unsuspectingly

arresting them. They were then at once, unsworn and unexamined, turned over to the calaboose of minnies and hayonets. The Grand Jury indicted the two Indians, ne to low. 118, being about 600 miles in Mose and Looking glass, for assault and rape. They were also 20 miles of the north line of the district, not Mormons, however, and, in the striking language of

his Honor, the savages were turned loose upon us. The calaboses walls were extended on the 22d by the addition of about eight hundred more soldiers, of all arms, infan-try, dragoons and artillery men, and two sections of their light battery.

We have been watching for an extension of the Judicia

tyranny to quarters where it cannot be practised without blood, and have been preparing ourselves for the worst. It is the right, my friend, of every American citizen to

OUR PROVO CORRESPONDENCE. Provo Cirv, March 22, 1859.

The Mormons Greatly Encided Apprehensive of Danger,
yet Hopeful.

The reign of judicial terror that has borne rule for the

The reign of judecial terror that has borne rule for the last fifteen days in Utah county, if continued fifteen more days, will fill all the hiding places west of the Wassatch Range with prominent citizens, as they feel that justice is only found beyond the pale of the Court, while morey is neither sought nor expected from those who shield its form behind federal steel. Treachery is beginning to break out in the face of her innocent victims, while volumes of writs are being issued in the "Star Chamber", for these who have been called to testify before the single. eyed Jeffrics of the mountains; and suspected of perjury, the result will be as disastrous to the diffzens as an Indian war, provided the cause is not removed and the panic shall continue a few more days. Past acts that were war, previded the cause is not removed and the panic shall continue a few more days. Past acts that were betted, and by the virtue of Mr. Buchanan's proclamation should have passed into oblivion, are recalled; and for every word, act or deed, in the pulpit or stand, men are called to give account before the present committing magnistrate of the United States District Court. The end is beyond our mortal ken. Peace to israel, we hope and pray, may speedy be her lot, as it is our prayer. Yesterday the Grand Jury was discharged, with a reprimant, when they reported that they were on the eve of producing presentinents. The trial of John Cazier then went off, and he was proved innocent by the cidence for the proaccution and acquitted, whereupon, with many thanks for past good conduct, they were likewise discharged, and the Court resolved itself into that of committing magistrate. Men are subponced as winesses, and then arrested and committed to the kind care of a military lock up. This gives alarm to all those who have suspicion that eavy or malice wishes them any harm, and, to except martial immediation and amock trial, they vanish. This is disturbing the equilibrium of the inhabitatis, and likely seriously to interfere with agricultural pursuits. What object the Court can have for one thousand troops is a question the citizens frequently propound, and, remembering Carthage, they inadvertently say "Beware." These are the sentiments of the community as far as I can learn. There are no symptons of a heattle demonstration by the people that we are aware of. We have hitherto used, and are intending to use, what influence we can to keep the people calm, and particularly ourselves, and let the law, the Court and the troops take their course, relying upon the rectitude of our cause and that source which never fails for the result.

Governor Cumming will leave for the city to morrow. We are hungry for Eastern news.

OUR ARMY AMONG THE MORMONS. LETTER PROM ONE OF OUR TROOPS IN UTAIL.

The Passage of Devil's Gale—Description of the Scenery— How the Army are Employed in Camp—Rebellion Still in How the Army are Employed in Camp—Rebeltion Still in the Hearts of the Mormon Leaders—Description of the Appearance of the Camp and Review of the Traops—No-Pay for the Mon—Rum Warranted to Kill at One Thou-tand Yards—The Funcy and the Gambling Hells—Thes-tricals and Music of First Rate Quality—Difficulty of Gel-ting Wood for Fire—Curious Account of the Way it is

maintain them are duties that I owe to my office and to them.

I have adopted the only means left me of accomplishing those objects. The military company, kindly furnished by the commanding General, both secure and support these prisoners. That this small force should be near the court house, or the building used as such, is not only a matter of convenience, but of necessity to the Court. This I will say, however, that so such as I can dispense with their most useful services, I shall do so.

You speak of their being here to the annoyance of the citizens of this city, and intimidation of those persons having business with the District Court.

When, where, or in what manner these soldiers have annoyed or interfered with the citizens of Prove, I challenge you to show. A more quiet, orderly set of men I never saw; they have deported themselves with a propriety and decorum truly remarkable.

As to your remark about intimidation, allow me to say that good American citizens have no cause to fear American troops.

REJOINDER OF THE CITY COUNCIL TO JUSTICE

never saw; they have deported themselves with a propriety and decorum truly remarkable.

As to your remark about intimidation, allow me to say that good American citizens have no canse to fear American troops.

JOHN CRADLEBAUGH.

REJOINDER OF THE CITY OUNGIL TO JUSTICE CRADLEBAUGH.

PROVO, March 15, 1859.

To the Hen. Joinx Cradtenauch, Associated Justices of the Supreme Court, and ex-officio Judge of the Second Judicial District for the Territery of Usah.

Your letter of the 12th inst. is now before us, in reply to the request of the Mayor and City Council of this city, in regard to the removal of the detachment of the United States treeps that at your request are now quartered in this city, and are occupying a part of the building used for court house.

You observe that the matter of the treops being brought to this city was duly considered before it was discrimined upon, and that it was a matter of necessity to have them in attendance for the purpose of accuring princers; that accessity, we understand, consisted in guarding ave prisoners, two of whom yes learn, have been discrarged.

Ether the Sheriff or municipal authorities were and are prepared to secure and assety protect any number of prisoners that their was any probability of being hold in custody by your court.

You spake cfour not having any place of condinement, this, we assure you, is a missake; we have a place prepared for that purpose. And should the county or territerial officers arrest prisoners, the officers of the city or county will abundantly provide for their security, wants and necessities. There is, therefore, no necessity of the United State troops being stationed in and around the court house.

Had your Henor conferred for one moment with the authorities of the county or city, in regard to the care of prisoners, you would not have saided for the army, and renders null and void he civil officers have been andered and the prisoners, you would not have garded on the results of the following the fourth of the city of the county of the fol

the night. These are well known facts, that can be proved by many wincesses.

However much we admire the talent, experience, skill and military attainments of the officers and the bravery and discipline of the men, it must be regarded as a very degrading appreciation of their gallantry, and the high position which their military career has given them, to use them as a county jail—a walking calaboses. And we be-lieve that all experience has proven that the introduction of soldiers into cities or villages has had a uniform tenden-vy to produce hostile feelings.

where much in articular war administrating to hard the properties of the control of the properties of

committed by officers in that town, and that there is a determination to cover up and to secrete the effenders. You have had sofficient time to examine those cases. More than two days ago you had alt the testimony before you in the Parriah case, and for some came you refuse to do anything. Your day's is ofind bills when there is sufficient testimony to satisfy you of the probability of the party's guilt. The Court has been patient with you; it has given you time; it has endeavored to be patient, that you might have ample opportunity to do your duty. The Court has no desire but to do its duty—to punish offenders and enferce the law; it can have no other purpose or motive. It is is the desire of this community that persons guilty of crimes shall be screened, and that high, noterious crimes shall be screened, and that high, noterious crimes shall be covered up, it will have to be done without the aid of this Court. Should my government desire such things, they must send some other person than the one who now predicts in this judicial district to accomplish such purpose. The Court cares not what position persons hold, either civil or ecolesiastical, if they are guilty of crime, it will use its authority to bring the offenders to justice. By legislation we have no jalls, no means to support prisoners, no means of paying witnesses or jurers, or other officers of this Court. It would seem that the whole of the legislation of this Territory was to prevent the due administration of justice. It would seem that the whole of the legislation of this Territory was to considerations that induced the Court to desire you to expedite the duties devolved upon you. The Court feels that it has discharged its duty, it has furnished you every facility for discharging yours. Still, you make no report; to continue you longer in service would be wrong—the public interest would neither be promoted or benefited by it. You are therefore discharged from further service. The Court will think of the prepriety of veniraing another Grand Jury.

a proper sense of your duty, it can at least turn the savages in custody loces upon you.

FROTEST BY THE GRAND JURY.

FROYO CITY, Utah County.

Territory of Utah, March 22, 1899.*

We, the undersigned, having been lawfully summoned as Grand Jurers for the Second Judicial district of the Territory of Utah, and having been summarily and insulingly discharged by the Hon. John Cradiobaugh, United States Associate Justice for said Territory, while in the aithful and diligent performance of our duties as a sworn inquest, do hereby enter our solemn protest against the language and conduct of the aforesaid Judge Oradlebaugh, addressed and used towards us at the time of our discharge. We were surrounded in our deliberations in our jury room by a detachment of the army and army officers, while being examined by us. We presented indictments for offences against the laws of the United States. Our indictments were treated with contempt, and the prisoners indicted have been liberated without trial. Witacases subpensed to be examined by us, have been freacherously arrested, and thus have we been deprived of their evidence. Notwithstanding being thus trammelled by the Court, we have honored our outh, and were endeavoring to faithfully discharge our duties, whan we were disconsidered by his Honor with a sleaderous and insulting harangue.

MEMORIAL AND PETITION TO GOVERNOR CUMMING.

MEMORIAL AND PETITION TO GOVERNOR GUMMING.
TO HIS EXCELLENCY ALPERD CCMMING, GOVERNOR OF HIS TERRITORY OF UTAIL:—
Sire—Your memorialists, citizens of Utah Territory, respectfully represent that the Hon. John Cradlebaugh, Associate Justice of the Supreme Court of the Territory of Utah and ex-efficie Judge of the Second Judicial District, commenced hoding a term of court in Provo, Utah county, U. T., on the 5th day of March, A. D. 1859, by what law, as to the time and place, of the United States or of this Territory, jis unknown to your memorialist; for in the Statutes at Large, chapter exxiv., section five of "an act to amend the acts regulating the fees, costs and other judicial expenses of the government in the States, Territories and District of Columbia; and for other purposes," approved August 16, 1856, we find that Congress enacted "the Judges of the Supreme Court in each of the Peritories, or a majority of them, shall, when assembled at their respective seats of government, fix and appoint the several times and places of holding the several courts in their respective districts, and limit the duration of the terms thereof;" which is all the law upon that point that we have been made cognizant of; and from page 119 of No. 27, vol. viii, of the Deserter Avers, we learn that Chief Justice D. R. Eckels and Associate Justice C. E. Sinclair, in accordance with said law, did, in August last, meet in fillmore city, then ruled by them to be the seat of government for this Territory, and "fix and appoint the several times and places of holding the several courts" in the three judicial district in which Judge Cradlebaugh is now holding court, as follows:—

"Second District Court will be holden at Fillmore city

position which their military career has given them, to use briefly and the Cambling Hells—These briefly and Music of First Rate quality—Difficulty of Geleting Wood for Fire—Curious Account of the Woy it is Converged, de.

We left Governor's Island on the 28th May, 1856, for Fort Lesveworth, our cempany consisting of 600 recruits, intended meetly for the Tenth regiment of ribes.
On our arrival at the passage known by the sulphureous name of "Devil's Gate," we stopped to reconsolire. This passage is barely wide enough for a wagon, being countpled partly by a stream of water. Finding our road clear we pushed forward into Echo canon. The entrance to this canon Ethe canon. The entrance to this canon Ethe canon Ethe canon we pushed forward into Echo canon. The entrance to this canon Ethe canon described by the Mormons to Intercept our further progress. This pass is very long and narrow, and should the Mormons have had gook the count of the passages, they would be ave made this pass for use the foreignial edsigns, they would be ave made this pass for the propers of our arrival of the possible, and the contributions and been described, however, before the arrival of the troops in advance were commencing to build where quaters. Our commencing to build where quaters. Our commencing to build where quaters, our consist of two regiments of the troops sent in advance were commencing to build where quaters. Our commencing to build where quaters, our consists of two regiments of our described price and many of the propers of the passage is barry to regiment of the travel." Everything had been described, however, before the arrival of the troop in advance were commencing to build where quaters. Our campa two regions to describe the civil, in a limited degree to be about for the passage that the control of the control of the many of the passage that the control of the passage that the control of the passage that the passage that the control of the passage that the control of the passage that the control of the passage that the

But, notwithstanding all these facts, and contrary to those principles of equity and justice that should characterize a court, it has pleased Judge Gradlebaugh to set aside, in several instances, the civil authorities and, without the least valid reason known to us, to employ federal troops to execute the orders of his court, thereby clearly ladicating on his part, so far as we can discern, an utter disregard of the latest expressed views and policy of the Administration concerning Utah, and the views and policy of your Excellency and all good citizens, and a settled purpose for some cause to force an angry collision between the citizens and troops, which is well known is not so difficult to accomplish in the best ordered town or city in the Union, especially when one class is caused to illegally supplant, taunt and oppress the other.

That the peaceful policy of the Administration and of your Excellency be not subverted by the vile schemes of such suters, speculators, camp followers and gamblers, as plot evil and bloodshed for gain; that citizens be not imposed upon in any of their rights, nor when subpenied as witnesses, treacherously arrested by bench warrants, and unfed and without bedding, guarded by troops; nor jurors to attend to their duties under the bristling of bayonets; that the laws be respected and magnified; that the citizens be not goaded until they cannot sustain their anger, and this forego for a time the happy results of the labors and toils of so many patriots and philanthropiste, and cause the ritous to exult with joy; and that your Excellency "take care that the laws be faithfully executed"—we, your memorialists, chizzens be faithfully executed. When the capt of the labors and toils of so many patriots and philanthropiste, and cause the ritous to exalt with joy; and that your Excellency was earliest convenience, report to the proper depariment to washington City the official position as Governor of this Ferritory; of your official position as Governor of the Ferritory; and around the court

the 22th instant.

GOVERNOR CUMMING'S PROCLAMATION AGAINST GENERGAL JOHNSTON.

Whereas, One company of the United States infanity, under the command of Captain Heth, is now stationed around the court house at Provo, where the Hon. John Crailebagh is now holding court, and eight additional companies of biganty, one of artillery, and one of cavalry, under the command of Major Paul, are statemed within sight of the Court House; and, whereas, the presence of soldiers has a tendency not only to terrify the inhabitants and disturb the peace of the Territory, but also to subvert the ends of justice by causing the intumisation of witnesses and jurors; and, whereas, this movement of troops has been made without consultation with me, and as I believe, is in opposition to both the letter and spirit of my instructions; and, whereas, General Johnston, commander of the military department of Ulah, has refused my request that he would issue the necessary or durs for the romoval of the above mentioned treeps; Now, therefore, I, Alfred Cumming, Governor of the Territory of Ulah, do hereby publish this my solemn protest against this present military movement, and also sgainst all movements of troops incompatible with the leter and spirit of the annexed extract from the instructions received by me from government for my guidance while Governor of the Territory of Ulah.

In testimony whereof, I have hereuse set my hand, and caused the seal of the Territory to be affixed. Dana at Great Salt Lake City, this twenty-seventh day of March, A. D. eighteen hundred and fifty nine, and of the independence of the United States the eighty-third.

EXTRACT—(GOV. CUMMING'S ENTRUCTIONS).

By the Governor. John Harrnerr, Secretary of

By the Governor. John Harmer, Scoretary of State.

EXTRACT—(GOV. CUMMING'S INSTRUCTIONS).

It is your duty to take care that the laws are faithfully executed, and to maintain the peace and good order of the Territory, and also to support by your power and authority the civil officers in the performance of their duties. If these officers, when thus cugaged, are forcibly opposed, or have just reason to expect opposition, they have a right to call such portion of the posse commitatus to their aid as they may deem necessary. If circumstances should lead you to believe that the ordinary force at the disposal of such efficers will be insufficient to overcome any resistance that may be reasonably anticipated, then you are authorized to call for such number of tecops as the occasion may require, who will act as a posse considerate; and while thus employed they will be under the direction of the proper civit officer, and act in conformity with the instructions you may give, as the Chief Executive Magistrate of the Territory.

JUDGE CRADLEBAUGH'S REMARKS ON THE GOVERNOR'S JUDGE CRADLEBAUGH'S REMARKS ON THE GOVERNOR'S

PROCLAMATION.

While the Court was in session on the 39th his Honor made the following remarks on Governor Cumming's pre-

made the following remarks on Governor Cumming's preclamation:—

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ustice Cradierob is not the
Provo on the
Sinclar also
Sinclar also
Sinclar also
I it laws embodied in writing, so that it may not be misrepresented. His Honor theu read the following:—
Sinclar also
I there roceived a document yesterday from Alfred Cumming, and what I have to say about
it I laws embodied in writing, so that it may not be misrepresented. His Honor theu read the following:—
Sinclar also
I there roceived a document from Alfred Cumming, Governer of this Territory, which in its heading purports to
be a proclamation, while in the body of [the document if it
would seem to be a kind of protest. Instread of being addressed to the General Commanding the departto hereby aure districts, in
d Territory, Taking the whole thing together, it seems
to be interested to the General Commanding the departto the designed to exasterate the people of this Territory against the troops, to obsured the course of
public justice, and to excite insubordination in
the army. In this document Governor Cumming speaks
of a company of United States infantry being stationed in
the army. In this document Governor Cumming speaks
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only to terrify the inhabitants and disturb the peace of the
substitute of the been designed to create a false impression as to the relative situation of the Court House and the troops. In regard to the inhabitants being terrified by the presence of troops, it is proper to say that many of them are very much annoyed by their being her at this time, but those who seem to be stricken with terror have fied the country on account of crimes committed by them, and the fear of just punishment for their offences. Among them are to be found several of the jurors, presidents of "stakes," bishops and also dyll officers of the Territory. It is perhaps proper to say that the Grand Jury was selected by the County Court under a recent act of the Legislature of this Territory, which was signed and approved by Governor Countming, and that several notorious crimicals were members of it. That none but those who are conscious of guit are under the influence of fear is manifested by the fact that at all times, when the court is in session, the court room is crowded by hundreds of citizens. The assertion that witnesses and jurors are or have been intimidated by the small military detachment near the Court House is without foundation; while the real fact is that witnesses have been threatened and intimidated by the very inhabitants who are said to be so much terrified. To such an extent has this been carried that witnesses who appear and testify on behalf of the protection of the troops that are here—many of them having signed a petition requesting that their security and safety depended along upon their presence. In regard to the statement that troops are here without consultation with his Excellency, the Court has yet to learn that it is subserviced to, and cannot act except under executive dictation. His Honor then observed, "I have thought proper to make this statement in regard to the protein and the troops are here without consultation with his Excellency, the Court has yet to learn that it is subserviced to, and cannot act except under executive dictation. His Honor then observed, "I have thought proper

then observed. "I have thought proper to make this statement in regard to this proclamation of his that the public may know it is not according to the facts."

HOW THE MORMONS SPRAK OP THE PRESENT TROUBLES. [Desert News, March 30]

The proceedings of the court at Provo City, and the petitions, remonstrances, and memorials those proceedings have called forth, together with the protest of the Grand-Jury and Governor Comming's proclamation, occupy much space in this number of the News.

These several documents speak for themselves and, in unmistakeable language, doubtless express the feelings and sentiments of those who originated them, in relation to the course that has been pursued by those who have been eggaged in bringing about the order of things to which they refer.

The people feel somewhat indignant at the course that has been taken to make them appear as opposers to the courts of the United States and to the execution of the laws, when no resistance has been mide to either the court or its officers, neither have they added criminals to escape from justice as alleged. They do not fear nor wish to avert an impartial administration of justice, but from past experience they have reasons to fear the unlawfus intervention of miliary with civil power.

It is not our intention to comment at this time to any great extent on these matters. The facts as they exist will go to the world in a way that will be understood, and unquestionably a righteous verdict will be given in the premises by those who respect the rights of their fellow-beings, guaranteed by the constitution and laws of our common country.

If courts are permitted to be held without authority of law, and judges to act in the capacity of accuser, presecutor, witness and juror at the same time, and suffered to employ the army of the United States, and the laws of any State or Territory where they may assume to hold such courts, and the federal arm is not stretched out to prevent such proceedings, when the facture become known, then its our nation ripe for

SPICY LETTER FROM A NEW YORK MORMON. TO THE EDITOR OF THE NEW YORK MERALD.

The "serious trouble anticipated between the Mormore and troops," as published in to day's Hearte, induces not to claim from you a portion of space in your valuable paper, for the purpose of setting forth something like the true state of affairs in that Territory.

This "startling news" has been expected in the "States" for some months page. The planning and intrinsing of the

for some months past. The planning and intriguing of the Utah Judges, sutters and their associates for the purpose of getting up another "difficulty," has been so well